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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

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MARK EDWARD TOWNER,

Plaintiff,

v.

USAA FEDERAL SAVINGS BANK, *doing  
business as* USAA FINANCIAL SERVICES,

Defendant.

**MEMORANDUM DECISION AND  
ORDER ADOPTING REPORT &  
RECOMMENDATION**

Case No. 2:14-cv-148-DN-DBP

District Judge David Nuffer

Magistrate Judge Dustin Pead

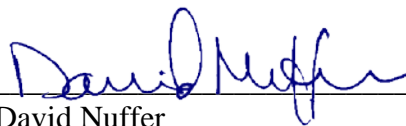
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Magistrate Judge Dustin Pead's Report and Recommendation<sup>1</sup> under 28 U.S.C. § 636(b)(1)(B) recommends granting Defendant USAA's Motion to Strike the Plaintiff's Motion for Summary Judgment (the "Motion")<sup>2</sup> and striking Plaintiff's Motion for Summary Judgment (the "MSJ Motion").<sup>3</sup> No objections were filed.

After review of all relevant materials de novo, the Report and Recommendation should be adopted in its entirety. Defendant's Motion is **GRANTED** and Plaintiff's MSJ Motion is **STRICKEN**.

Signed June 11, 2014.

BY THE COURT:



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David Nuffer  
United States District Judge

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<sup>1</sup> [Docket no. 13](#), entered April 28, 2014.

<sup>2</sup> [Docket no. 9](#), filed April 8, 2014.

<sup>3</sup> [Docket no. 5](#), filed March 26, 2014.